

Meg Hillier MP
Chair, Public Accounts Committee



Sent by email

13 January 2022

Dear Ms Hillier,

Today, as Parliamentary and Health Service Ombudsman, I have laid a report in Parliament highlighting the devastating impact of errors by the Department for Work and Pensions (DWP) on a woman with multiple, complex health needs.

Due to incorrect migration by the DWP onto the Employment and Support Allowance (ESA) benefit, Ms U received only about half of her entitlement for over five years. Ms U has multiple health conditions, including an autoimmune disease, paranoid schizophrenia and hypertension, and this error had a devastating impact on her health, wellbeing and finances. The investigation report can be viewed [here](#).

I am sure you are familiar with issues related to ESA, given the 2018 National Audit Office report and your Committee's follow-up inquiry.

While DWP paid Ms U arrears, it refused to consider a compensation claim for the hardship she suffered and for the other benefits she was unable to access as a result of DWP's mistake. Had Ms U been migrated correctly she would have been entitled to free prescriptions, help with dental costs and the Warm Home discount. Over that five-year period she was unable to heat her home and was at risk of hypothermia. She was also unable to buy healthy food, which meant her health deteriorated further.

DWP has compounded its failings by refusing to comply with PHSO's recommendation and apply the lessons from Ms U's case to the 118,000+ people who have been affected by the same error. I am aware that the Government disagreed with your Committee's recommendation to calculate the total amount claimants have missed out on. It is my view that this ongoing refusal to allow compensation claims from those affected is unjust and a serious failure of public policy.

I have written to the Minister for Disabled People, Health and Work to urge compliance. I have also written to the Shadow Secretary of State for Work and Pensions and the Chairs of the Work and Pensions Committee and Public Administration and Constitutional Affairs Committee, inviting them to scrutinise the matter further.



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I trust the report is of interest and can assist the Committee in holding the Government to account. Should you wish to discuss the case further you can contact me via my Assistant Private Secretary, Faye Glover (faye.glover@ombudsman.org.uk).

Yours sincerely,

Rob Behrens

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Ombudsman and Chair
Parliamentary and Health Service Ombudsman



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